

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIASONY BMG MUSIC ENTERTAINMENT, *et al.*,

No. C-07-4097 EMC

Plaintiffs,

ORDER GRANTING PLAINTIFFS' *EX PARTE* APPLICATION FOR LEAVE TO TAKE IMMEDIATE DISCOVERY

v.

JOHN DOE,

(Docket No. 3)Defendant.
_____ /

Upon Plaintiffs' *Ex Parte* Application for Leave to Take Immediate Discovery, the Declaration of Carlos Linares, and the accompanying Memorandum of Law, the Court hereby finds that Plaintiffs have demonstrated good cause for the expedited discovery sought herein. *See UMG Recordings, Inc. v. Does*, No. 06-0652 SBA (EMC), 2006 U.S. Dist. LEXIS 32821 (N.D. Cal. Mar. 6, 2006). Accordingly, it is hereby:

ORDERED that Plaintiffs may serve immediate discovery on University of California, Santa Cruz to obtain the identity of Defendant John Doe by serving a Rule 45 subpoena that seeks information sufficient to identify Defendant John Doe, including the name, current (and permanent) address and telephone number, e-mail address, and Media Access Control address.

IT IS FURTHER ORDERED that any information disclosed to Plaintiffs in response to the Rule 45 subpoena may be used by Plaintiffs solely for the purpose of protecting Plaintiffs' rights under the Copyright Act.

IT IS FURTHER ORDERED that, if and when the University of California, Santa Cruz is served with the subpoena, within five (5) business days thereof it shall give written notice, which

1 can include use of e-mail, to the subscriber(s) whose identity is to be disclosed in response to the
2 subpoena. If the University of California, Santa Cruz and/or Defendant wishes to move to quash the
3 subpoena, they shall do so before the return date of the subpoena, which shall be thirty (30) business
4 days from the date of service.

5 IT IS FURTHER ORDERED that, if and when the University of California, Santa Cruz is
6 served with a subpoena, the University of California, Santa Cruz shall preserve the data and
7 information sought in the subpoena pending resolution of any timely filed motion to quash.

8 IT IS FURTHER ORDERED that counsel for Plaintiffs shall provide a copy of this order to
9 the University of California, Santa Cruz when the subpoena is served. The University of California,
10 Santa Cruz should in turn provide a copy of this order to Defendant, again within five (5) business
11 days of service of the subpoena on the University of California, Santa Cruz.

12 This order disposes of Docket No. 3.

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14 IT IS SO ORDERED.

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16 Dated: August 14, 2007

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18 EDWARD M. CHEN
19 United States Magistrate Judge
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